

required that when it authorized the desired investigation it refrain from publishing misleading and vicious statements regarding the chief city of the American continent.

SIX BASES OF THE LEGISLATIVE INQUIRY.

"The six recitals, 'whereases' or bases of your legislative committee's resolution relate to four assertions. All are founded upon what is called in the resolution 'common report.' They are:

"That the city's general financial status is a perilous position."

"That the revenue of the city is insufficient to meet the requirements of the public schools and other municipal departments."

"That such assumed financial condition is due in part to inefficiency, waste and corruption in the various city departments. That, because of alleged unscrupulous practices, there is demoralization in the administration of various departments."

"That the alleged financial difficulties are due in part to duplications and defects in the city's Charter, resulting in inefficiency and waste in administration."

"As to the assertion that the general financial status of the city is in a perilous condition:"

"This is not so."

"This Administration on Jan. 1, 1918, inherited from its predecessors a net funded debt of \$1,031,269.09. During the intervening three years it has added \$4,375,554.52 to the net funded debt as compared with \$132,300,435.34 added during the four years of the Mitchell Administration. These figures strikingly show where rests the responsibility for the creation of the net funded debt."

"On March 1, 1921, the debt limit margin was \$161,710,610. This margin can still be further increased by the addition (upon application to exempt them to the Appellate Division) of about \$20,000,000 of dock bonds, which are entitled to be exempted because they are now self-sustaining. This would make the March 1, 1921, debt limit margin about \$181,710,610. The debt limit margin available for municipal improvements when the present Administration entered office, Jan. 1, 1918, was about \$51,604,765.55. The March 1, 1921, debt limit margin was three times greater than the Jan. 1, 1918, debt limit margin, all of which demonstrates the incorrectness of the legislative 'common report' assertions of alleged 'perilous condition' of the city's financial status."

PLENTY OF REVENUE FOR NORMAL NEEDS.

The Mayor said that the city's revenue for a given year, say 1921, and taxes actually levied, exceed its municipal and school requirements and its other financial budget requirements resulting from the preceding year's operations. "except in so far as the Legislature's mandatory actions make it insufficient."

The Mayor said that the State in 1915 put a direct tax of \$13,755,231, which resulted in the formation of a committee coming to New York. There were other mandatory bills over which he had no control passed by the Legislature, notwithstanding that he voted fifty-three in 1921, saving more than \$15,000,000. He quoted returns from several city departments showing increase in revenues.

He said that he introduced at the last legislative session by Senator Lusk a bill to create another liability of from \$6,000,000 to \$40,000,000, referring to the claims of subway contractors.

Attorney Brown for the committee asked the Mayor a number of questions about the debt limit margin, and the Mayor said that he understood that it must be confined to one-third of the city's assessed value. He said that he was not the financial agent of the city and knew of the finances of the city only in a general way.

Q. But you guide yourself in the signing or veto of appropriations on the debt limit? A. Yes, and on the advice of the Finance Committee.

Q. But don't you do any investigation yourself? A. Oh, yes.

Q. You are a member of the Finance Committee? A. Yes.

Q. You are a Judge? A. Yes.

Q. And are the Mayor of the city? A. Yes.

His Honor did not appear to have a good memory for figures when not reading his statement.

ASKED IF HE REMEMBERED ONLY THE LORD'S PRAYER.

Senator Brown asked him if he remembered anything but the Lord's Prayer.

"You can't remember all these amounts," said the Mayor.

"Mr. Brown doesn't expect you to," interrupted Senator Walker. "He can't remember the debt limit margin."

Q. Do you understand that the debt limit margin of the city can be increased only for expenditures on dock and rapid transit facilities? A. I don't understand your question.

The stenographer read the question but the Mayor said he couldn't understand it, until finally the attorney put it in another form and the Mayor answered in the affirmative.

Senator Walker started a breeze when he asked the Mayor where he would go for the information asked for by Senator Brown. He said he would go to the books, wouldn't you?

Chairman Meyer interrupted Senator Walker to assure him that he was not acting in accordance with the rules of the committee. He said: "I don't know anything about those rules of the committee," retorted the minority leader of the Senate. "I wasn't at the secret session of the majority of the committee."

There was a violent outburst of applause in the chamber, to the surprise of everybody.

"You were in California," retorted Senator Robinson.

"Well, I was here," cried Assemblyman Maurice Bloch, another Democrat, and I received no notice of any meeting for the purpose of making rules."

"It wouldn't have made any difference," returned Senator Walker, "unless you had a check lantern. But I am going to find out what's going on and if I can't find it here I will in Albany."

This brought out a greater demonstration than the last and a smile from the Mayor.

Mr. Brown asked the Mayor if he

GOING UP!—FUND TO KEEP LUSK SILVER SHINING

As Well as Cash to Buy the Polish Comes a Rag to Apply It.

The Lusk Foundation for Publishing the Silverware is almost over the top. The earnest desire of many citizens to insure that the silver service presented to the Senator's wife by grateful devotees shall never become tarnished continues to manifest itself in contributions. The total received is \$176,100 cents.

One contributor sent in today an ounce of soft cloth to be used in applying the polish. Another sent in a Chinese rag with a hole in it, the value of which, according to Park Row numismatists, is 1-100 of a cent. A third contributed two revenue stamps which can probably be saved off on the drugstore from whom the polish is purchased at face value—2 cents; when the cause is explained he can't refuse.

The following letters accompanied contributions:

To the Editor of The Evening World:

Please accept my humble share to keep the silver shining. I thank you. AXELA.

To the Editor of The Evening World:

Why furnish only polish for the Lusk silver? Surely you couldn't polish silver with polish; you will need rags also. As I notice the Town of Corona has sent its quota I do not want to be behind or I cheerfully donate one ounce of rags to the worthy cause. Hoping every town in the State of New York goes over the top. I remain, S. R. E. ELMHURST.

To the Editor of The Evening World:

Please accept my humble donation (2 cents in revenue stamps) toward the "Lusk Shining Silver Foundation." I feel it is the duty of every citizen to help so worthy a cause.

HENRY W. FRITSCH.

P. S. Could not another fund be started to buy a silver plated blackjack for Detective Tighe?

To the Editor of The Evening World:

I enclose 2 cents (in postage) as a contribution to the "Lusk Shining Silver Foundation."

I hope there will be no necessity of appointing a committee to investigate the disposition of this fund, because it is probable that such investigation will meet the same fate which was met by the investigation of the disposition of the funds collected by the police for the Police Field Days. Those were the happy days (for them) when they could hold up automobiles and enter houses to collect.

S. R. E. ELMHURST.

Previously acknowledged: 30.75-100

Axel00 1-100

Elmhurst00

(One cotton rag)02

H. F. Fritsch00

S. F. C.02

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Mayor at Meyer Committee Grill Room; Inquisitor Brown and Others in Inquiry



WM. HARMON BLACK AS DIST. ATTORNEY NEW POSSIBILITY

(Continued From First Page.)

Clarence Fay could have it if he wanted it. Sheriff—John S. Shea. Register—Miss Helen Varick Bownell. County Clerk—Alderman Charles Novello.

BROKEN EGG FRAUDS OF \$21,000 CHARGED

Post Office Inspectors Arraign Three Merchants for Insured Parcel Scheme.

In the arraignment to-day of three egg merchants the Government claims to have uncovered a scheme of making fraudulent claims of breakage of eggs shipped by insured parcel post which netted over \$21,000 in two years.

The accused are Benjamin Feigenbaum, No. 156 Reade Street; Benjamin Kalmanson, No. 310 Greenwich Street, and Harry Atlas, No. 312 Greenwich Street. They were held in \$2,500 bail each by U. S. Judge Shepard.

The indictment alleges they collected on claims stating as many as 241 eggs were broken in transit in shipment of crates of 30 dozen.

Inspectors say they found in no case was there a breakage of more than two eggs to a crate, and in most cases no eggs were broken. The inspectors then looked over the eggs as they reached New York, placed them carefully on specially built trucks using soft tires and which proceeded at a funeral pace to the egg dealers' shops, but still the claims of heavy breakage continued.

COTTON SHIPPING RATE WAR IN SIGHT

British and U. S. Interests Can't Agree, so Alexandria Report States.

LONDON, Aug. 9. (Associated Press).—Negotiations between representatives of American and British shipping interests on the question of freight rates for Egyptian cotton have been broken off, according to a dispatch to the Central News Agency from Alexandria, to-day, quoting an official source.

The United States Shipping Board recently delivered an ultimatum to the British shipping lines, that unless the treatment were accorded American ships in contracts for the transportation of cotton from Alexandria to the United Kingdom and the United States, the Shipping Board would "declare an open market" and haul anything anywhere at any rate, subsequently on Aug. 2, a conference was held in London between representatives of the American Shipping Board and British shipping leaders, which failed to develop a settlement of the dispute.

EDWARDS REPRIEVES TWO. FOR THE PAUL MURDER.

TRIDENT, N. J., Aug. 9.—Gov. Edwards to-day granted a reprieve for Frank J. James and Raymond W. Schuck, condemned to die in the electric chair for the murder of David S. Paul, a Camden bank runner. In granting the reprieve the Governor said he would not vote for clemency when the case comes before the Court of Pardons in September.

Schuck's father and wife saw the Governor to-day. After leaving the State House they went to the prison with Schuck's attorney, J. Russell Carrow, in an effort to obtain from James a confession exonerating Schuck.

Gov. Edwards was asked if he would pardon Schuck in the event of such a confession and he replied that he might.

100 Reported Killed in Japanese Explosion.

HIROSHIMA, Japan, Aug. 8.—One hundred persons were killed or injured, to-day, when the government powder magazine exploded. The origin of the accident is not known.

ALL PASSENGERS SAVED AS STEAMER HITS PACIFIC REEF

San Jose Strikes at San Jablo, Ascension Island, but May Get Off.

SAN DIEGO, Calif., Aug. 9.—All passengers aboard the Pacific Mail Steamship San Jose have been landed and an effort is being made to get the vessel off San Pablo Reef by her own engines, according to a radio message received by the navy station here to-day.

SAN FRANCISCO, Aug. 9.—The steamer San Jose struck and grounded on San Pablo Reef, Ascension Island, according to distress messages received early to-day by the United States Naval Radio station on Yerba Buena Island.

The Naval Radio Station at San Diego sent broadcast a message telling other ships of the San Jose's plight and instructing any nearby to go to her assistance.

One message from the San Jose directed said: "Vessel in immediate danger. Any ships near please come to rescue."

The San Diego Station asked the San Jose if she was sinking. The answer came: "No, but we are taking a big list. Think we are stuck on reef."

The San Jose is operated by the Pacific Mail Steamship Company between San Francisco and Panama. The vessel left Salina Cruz, Mexico, Aug. 1, and was due here Aug. 13 after stopping at San Diego and Los Angeles.

A radio message from the steamer Griffin said she was rushing to the assistance of the San Jose. "The Griffin gave her position as about 300 miles away from the stranded ship."

"There is no panic aboard," said one of the San Jose's messengers. "The passengers are treating the accident as an adventure."

BURGLARS MURDER OLD WATCHMAN IN BROOKLYN STORE

(Continued From First Page.)

drew his bonds tighter. Nearly was the key to the cell box a few feet away. He was struck down apparently while about to send in his 3 o'clock call.

Schnackenberg's last punching of his time clock was from the basement of the store at 2 o'clock. It was in the cellar that the burglars found two iron bars four feet long with which they attempted to open the store safe. Although they might have been used to attack the watchman, they bore no evidences of such use.

The police say the burglars probably concealed themselves in the store before it was closed yesterday, as there was no evidence they forced their way in, and the front door, unlocked between the time Gilroy rapped on the window and returned with the two policemen, showed the manner of their escape. From the way they tried to get into the safe the police believe they were amateurs. Nothing was missed from the store and no clues were found.

ARGUE TO STOP CITY BUSES ON THE GRAND CONCOURSE.

Petitioner's Counsel Says There is "Mystery" in Their Operation.

Supreme Court Justice Martin in the Bronx, heard arguments to-day on the petition for an injunction to restrain the city from continuing the operation of a bus line on the Grand Concourse. The court directed that counsel for each side present briefs a week from to-day.

Corporation Counsel O'Brien said the buses were started as an emergency measure last July and have carried 300,000 passengers. Alfred T. Davidson, counsel for the petitioner, Jennie Quinn, wife of an employee of the Third Avenue Railroad Company, said there was "mystery" about the operation of the buses and the use of city employees as checkers and starters.

Justice Cannon in Supreme Court Brooklyn, signed an order to-day calling upon Mayor Hylan to show cause next Wednesday why an order should not be issued compelling the discontinuance of service by the Rockaway Beach and Coney Island Bus Lines, which are operated by the Rockaway Beach and Coney Island Bus Lines, which are operated by the Rockaway Beach and Coney Island Bus Lines.

The remaining designations were: Second Assembly District, for Assemblyman, Owen J. Dever; for Alderman, Bernard Schwab; Fifth Assembly District, for Assemblyman, Joseph H. W. Thompson; for Alderman, Joseph H. W. Thompson; for Alderman, Joseph H. W. Thompson.

The Judiciary Committee of the Executive Committee of the Republican organization in Queens designated Municipal Judge Edgar F. Hazleton for County Judge.

The County Republican Committee of the Bronx chose Joseph M. Levine, a lawyer and builder, as candidate for Borough President.

Bishop Curley Made Archbishop of Baltimore.

ROME, Aug. 9.—Bishop Michael J. Curley of St. Augustine has been appointed Archbishop of Baltimore, it was announced at the Vatican to-day. The appointment of the Rev. Fr. Strick to the bishopric of Toledo, was announced also.

HOW POLICEMAN IN CABARET RIOT LOOKED IN COURT



POLICEMAN JOHN FITZPATRICK.

ENRIGHT ORDERS POLICEMAN HELD FOR CABARET RIOT

(Continued From First Page.)

detective who assaulted a citizen yesterday at the Polo Grounds. Fitzpatrick disappeared after the excitement and was not found until hours later when he went to the Knickerbocker Hospital to have many scalp wounds sewed up and a broken nose treated.

He was then taken to the West 47th Street Station by Detectives Boyle and Kammerer. Doctors at the hospital said the policeman was perfectly sober.

The prisoner told his superior officers he knew little about what had occurred, except that he was suddenly hit from behind by somebody in the restaurant, where he had been having "a few drinks," that a fight had then started, and that he had lost his revolver.

Gallagher's place was jammed about 2:30 A. M. to-day when four men took one of the tables. Policeman Fitzpatrick in plain clothes is said to have been one. The three others are reported to have been detectives, but there is no proof of it yet.

But they were friends of Fitzpatrick's and backed him up when he protested at the check.

After a few words one broke a bottle on the waiter's head and the fight started.

Though a number of persons were said to have been injured—ones rumored that two others besides Fitzpatrick were hit by bullets—the police did not seem able to get any information on the subject.

An investigation into the assault upon James A. S. Carpenter, forty-six, an advertising agent of No. 75 Sherman Avenue, was the grand jury's order. The Polo Grounds yesterday was begun to-day by Inspector Cahalane. Lieut. Woolworth summoned Policeman Duffy, who drove the patrol wagon in which Carpenter was taken, and the detectives involved in the assault jumped.

Duffy said he did not see the two detectives at the Polo Grounds, but he heard a man jump on the machine just after it got under way.

"I couldn't see him," Duffy told Lieut. Woolworth, "but I yelled back, 'Whole there!'"

"A policeman," was the reply. Duffy said he continued his trip to the 135th Street Station, but when he got there found the man had jumped off.

Inspector Cahalane to-morrow will call every detective and plainclothes man of the 135th Street Station and any other who were in the Polo Grounds in an effort to find out who the assailants were. Carpenter has filed a complaint against the two officers.

"We will not stop until we've reached the bottom of this case," Lieut. Woolworth told an Evening World reporter.

Four or three witnesses to the trouble were questioned and agreed that during the fifth inning of the second game between the Yankees and White Sox one of the detectives had jumped to his feet, provoked at having had Carpenter's foot touch his back, and shouted an unprintable epithet.

When the remark was repeated, Carpenter said, he told the detective he "ought to have a private box." Thereupon the man produced a blackjack and struck Carpenter with it.

Several spectators called for an attendant to interfere, but the man was said to have remarked: "These are Central Office men. I can't do anything."

The men told the crowd they would "handle this case in our own way," the police officers. They yanked Carpenter out of his seat, dragged him through the crowd and to the street, occasionally beating him again. One of the detectives left at Eighth Avenue and 135th Street and the other, when the police patrol wagon came by, jumped on it and also disappeared.

The police at Brooklyn are still searching for witnesses to the death of Peter Behan, thirty-two, killed yesterday by a blow in Baltic Street. Policeman Daniel F. Calkin, a "brookie" attached to the Coney Island Station, is held without bail on a charge of homicide. Some witnesses say Calkin struck Behan with a blackjack. Calkin admits having fought with Behan because, he alleges, Behan insulted Mrs. Calkin. He said he pushed Behan but did not strike him.

SILESIA PARTITION REPORTED AGREED ON IN COMPROMISE

No More Troops Will Be Sent to Reinforce French Soldiers There.

PARIS, Aug. 9. (Associated Press).—Premier Briand of France and Prime Minister Lloyd George of England have decided at a private meeting upon a compromise partition of Upper Silesia. It was declared here to-day on good authority.

The compromise boundary line is understood to have been drawn approximately as follows:

Beginning west of Pless on the Vistula River and running west of Gliwicz, west of Tost and Gross-Strehlitz north to between Rosenberg and Kreuzburg, and thence to the frontier of northern Upper Silesia.

This line, while by no means a straight one, approximately bisects the Silesian plebiscite area.

The reputed agreement must be formally ratified by the Supreme Council, and the possibility of this action at the late afternoon session to-day was forecast.

It was upon the private settlement being reached, it is understood, that the Council decided not to send reinforcements to Upper Silesia at present, the British and Italian delegations voting against the sending of French troops for this purpose as France had desired. Sir Harold